

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MARCUS O. TATE, #180 664,	)	
AIS #137198,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:17-CV-137-WHA
	)	
AL BD. PARDONS AND PAROLES,	)	(wo)
	)	
Defendant.	)	

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #10), and the Plaintiff's Objection thereto. (Doc. #11).

Upon an independent evaluation and *de novo* review of this case, the court finds the objection to be without merit.

The Plaintiff's § 1983 complaint was recommended for dismissal by the Magistrate Judge pursuant to 28 U.S.C. § 1915(g). The Plaintiff has filed an objection to the Recommendation and has argued that he is not bound by the United States Constitution or the provisions of 28 U.S.C. § 1915(g) because he is not a citizen of the United States or the State of Alabama because he is now a "Freed National" of the Morocco Republic and has been since March of 2017.

The Plaintiff is barred from filing complaints in this court under § 1915(g) unless he pays the filing and administrative fees upon initiation of suit. Plaintiff's contention that he is not subject to the provisions of the statute for the reasons asserted in his objection is without merit.

Accordingly, it is hereby ORDERED as follows:

1. The Plaintiff's Objection is OVERRULED.
2. The court adopts the Recommendation of the Magistrate Judge.

3. All pending motions are DENIED.
4. The case is DISMISSED without prejudice for Plaintiff's failure to pay the filing and administrative fees upon initiation of this case.

A Judgment will be entered in accordance with this Order.

Done this 3<sup>rd</sup> day of May, 2017.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE